

150
PETITION FOR ZONING VARIANCE
TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:
The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1102.3.C.1. to permit a side yard setback of 1.25 feet in lieu of the required 10 feet and a rear yard setback of 15.5 feet in lieu of the required 30 feet.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty)

1. Growing family in a single floor dwelling needs addition of a garage for storage and practical use.

2. Current zoning regulation of 10' would not allow enough room for this addition. Also see attachment.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:
(Type or Print Name)
Signature
Address
City and State
Attorney for Petitioner:
(Type or Print Name)
Signature
Address
City and State
Attorney's Telephone No.:
Name
Address
City and State

Legal Owner(s):
(Type or Print Name)
Signature
Address
City and State
Name, address and phone number of legal owner, contract purchaser or representative to be contacted
Name
Address
City and State

ORDERED By The Zoning Commissioner of Baltimore County, this 13th day of February, 1988, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 9th day of February, 1988, at 11 o'clock a.m.

J. Robert Haines
Zoning Commissioner of Baltimore County.

(over)

Additional reasons for requiring a variance - Item 150

The prior owner of the property constructed the dwelling in 1977. Variances were granted for a side street setback and a rear yard setback based on the house facing the water. (See Case No. 75-123-A and 77-78-A) The house was actually constructed facing Community Road, leaving a deficient setback for the rear yard. The Petitioner is requesting a variance here to correct the existing deficiency to the rear and to construct a much-needed addition to the side of the dwelling for a garage and storage area. The setback of 1.25 feet is to a property line which adjoins a 15-foot wide paper right of way, which has no apparent ownership.

DESCRIPTION FOR VARIANCE
12905 COMMUNITY ROAD
15TH ELECTION DISTRICT

Located on the southeast side of Community Road, 30 feet wide, at a distance of 145 feet southwest of South River Drive and being known as Lots 133 and 134 as shown on the plat of "Harewood Park", which is recorded in the Land Records of Baltimore County in Plat Book W.P.C. No. 7, Folio 131.

IN RE: PETITION FOR ZONING VARIANCE
SE/S Community Road, 145' SW of S. River Road
(12905 Community Road)
15th Election District
5th Councilmanic District
Charles Vedral, et ux
Petitioners

BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 88-301-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance to permit a side yard setback of 1.25 feet in lieu of the required 10 feet and a rear yard setback of 15.5 feet in lieu of the required 30 feet for a garage addition, as more particularly described on Petitioner's Exhibit 1.

The Petitioners, by Charles Vedral, appeared and testified. There were no Protestants.

Based upon the testimony and evidence presented at the hearing, all of which was uncontradicted, it is the opinion of the Zoning Commissioner that the relief requested sufficiently complies with the requirements of Section 501 of the Baltimore County Zoning Regulations (B.C.Z.R.) and therefore, the variances should be granted. There is no evidence in the record that the subject variances would adversely affect the health, safety, and/or general welfare of the public. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, in the opinion of the Zoning Commissioner, the requested variances should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 11th day of February, 1988 that a side yard setback of 1.25 feet in lieu of the required 10 feet and a rear yard setback of 15.5 feet in lieu of the required 30 feet for a garage addition, in accordance with Petitioner's Exhibit

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1. be approved, and as such, the Petition for Zoning Variance is hereby GRANTED, subject, however, to the following restrictions:

- 1) The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the applicable appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.
- 2) The Petitioner shall not allow or cause the garage addition to be converted to a second dwelling unit and/or apartment. The garage shall contain no living or sleeping quarters, and no kitchen facilities.

J. Robert Haines
Zoning Commissioner of Baltimore County

JRH:bjs

ORDER RECEIVED FOR FILING
DATE 2/16/88
BY [Signature]

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Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-5353

December 1, 1987

Mr. & Mrs. Charles Vedral
12905 Community Road
Baltimore, Maryland 21220

Re: Case number: 88-301-A
SE/S Community Road, 145' SW of S. River Road
(12905 Community Road)
15th Election District - 5th Councilmanic District
Petitioners: Charles Vedral, et ux

Dear Mr. & Mrs. Vedral:

Please be advised that \$68.22 is due for advertising and posting of the above-referenced property. All advertising and posting fees must be paid prior to the hearing. Do not remove the sign from the property from the time it is posted by this office until the day of the hearing itself.

THIS FEE MUST BE PAID AND THE ZONING SIGN AND POST RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE-REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE 2/16/88 ACCOUNT R.O.H. 155,000

AMOUNT \$ 68.22

RECEIVED FROM Charles Vedral

FOR Petition 88-301-A

VALIDATION OR SIGNATURE OF CASHIER

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County, Maryland and forward 13, Towson, Maryland 21204.
ry truly yours,
ROBERT HAINES
Zoning Commissioner of Baltimore County

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CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland
District 10th
Date of Posting 2/15/88
Posted for: Variance
Petitioner: Charles Vedral
Location of property: SE/S Community Road, 145' SW of S. River Road
(12905 Community Road)
Location of Sign: Building on property, 145' SW of S. River Road
Remarks: on property of Petitioner
Posted by: [Signature]
Number of Signs: 1

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NOTICE OF HEARING
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:
Case number: 88-301-A
SE/S Community Road, 145' SW of S. River Road
(12905 Community Road)
15th Election District - 5th Councilmanic District
Petitioners: Charles Vedral, et ux
DATE/TIME: TUESDAY, FEBRUARY 9, 1988 at 11:00 a.m.

Variance to permit a side yard setback of 1.25 feet in lieu of the required 10 feet and a rear yard setback of 15.5 feet in lieu of the required 30 feet.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE-REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE 2/16/88 ACCOUNT R.O.H. 155,000

AMOUNT \$ 25.00

RECEIVED FROM Charles Vedral

FOR Petition 88-301-A

VALIDATION OR SIGNATURE OF CASHIER

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CERTIFICATE OF PUBLICATION
TOWSON, MD. Jan. 21, 1988
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on Jan. 21, 1988.
THE JEFFERSONIAN,
[Signature]
Publisher

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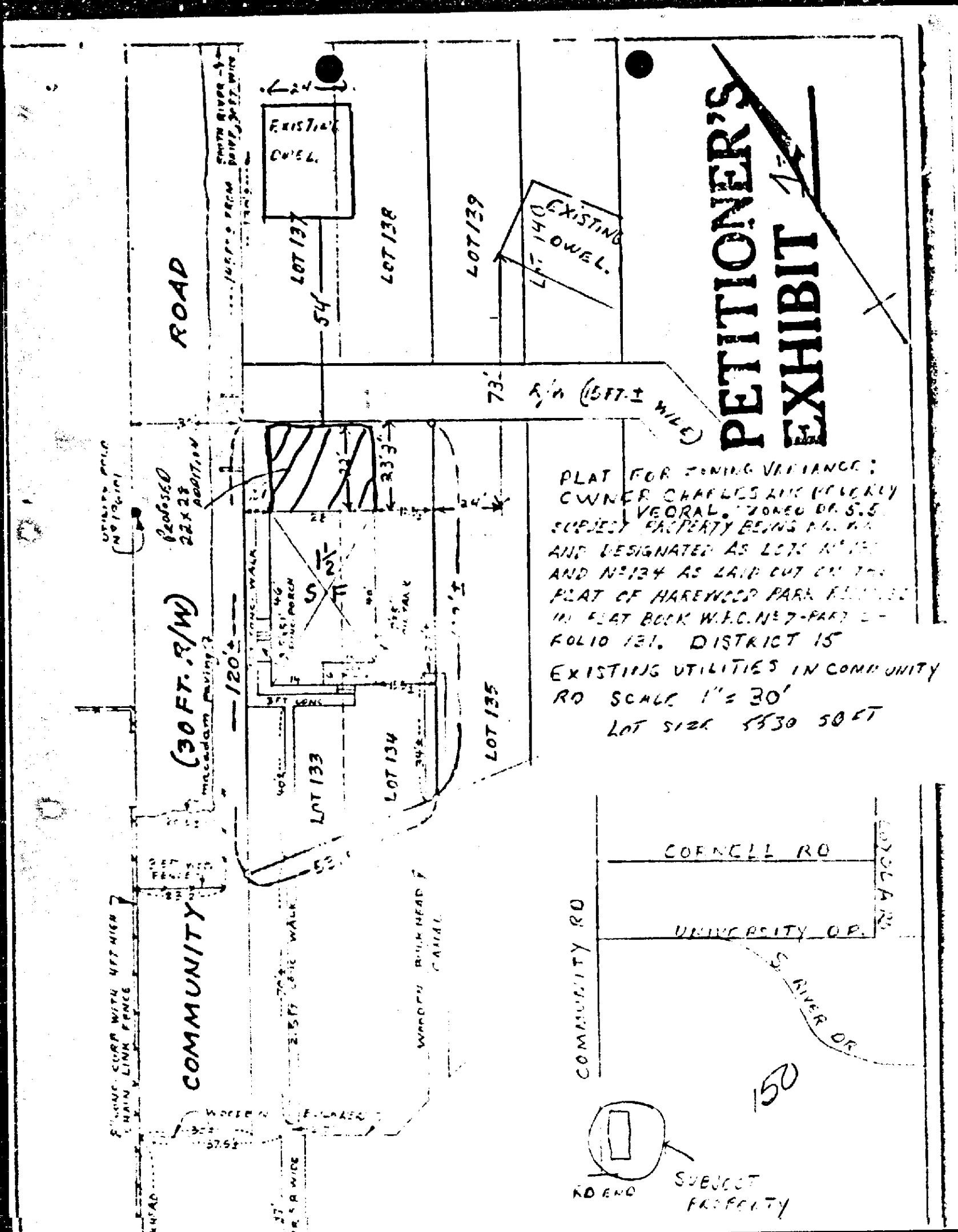
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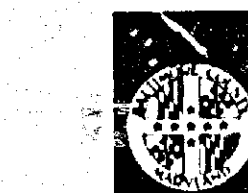
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Baltimore County
Fire Department
Towson, Maryland 21204-2586
494-4500

Paul H. Reincke
Chief
J. Robert Haines
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204

November 25, 1987



Re: Property Owner: Charles V. Vedral, et ux (critical area)

Dennis F. Rasmussen
County Executive

Location: SE/S Community Rd., 143' SW of River Drive

Item No.: 150

Zoning Agenda: Meeting of 11/3/87

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

- () 1. Fire hydrants for the referenced property are required and shall be located at intervals or _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- () 2. A second means of vehicle access is required for the site.
- () 3. The vehicle dead end condition shown at _____ EXCEEDS the maximum allowed by the Fire Department.
- () 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- (X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code," 1976 edition prior to occupancy.
- () 6. Site plans are approved, as drawn.
- () 7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: Patricia Kelly 11/25/87 Noted and Approved: John F. O'Neill
Planning Group Fire Prevention Bureau
Special Inspection Division

/s/

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

February 3, 1988

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

Mr. Charles V. Vedral
12905 Community Road
Baltimore, Maryland 21220

RE: Item No. 150 - Case No. 88-301-A
Petitioner: Charles V. Vedral, et ux
Petition for Zoning Variance

Dear Mr. Vedral:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above-referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

James E. Dyer
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:kbb

Enclosures

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Mr. J. Robert Haines
TO: Zoning Commissioner

Date: December 21, 1987

FROM: Norman E. Gerber, AICP
Director of Planning and Zoning

SUBJECT: Zoning Petition Nos. 88-295-A, 88-296-A,
88-300-A, 88-301-A, 88-302-A, 88-303-A

There are no comprehensive planning factors requiring comment on this petition.

Norman E. Gerber, AICP
Director

NEG:JGH:dme

cc: Ms. Shirley M. Hess, Legal Assistant, People's Counsel
File

Baltimore County
Department of Public Works
Bureau of Traffic Engineering
County Office Building
Towson, Maryland 21204
894-3554

November 10, 1987



Dennis F. Rasmussen
County Executive

Zoning Commissioner
County Office Building
Towson, Maryland 21204

Dear Zoning Commissioner:

The Bureau of Traffic Engineering has no comments for items number 149 (150), 151, 152, 153, 154, 155, 156, and 158.

Very truly yours,

Michael S. Flanagan
Michael S. Flanagan
Traffic Engineer Associate II

MSF:ab

NOTICE OF HEARING

The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the proposed rezoning of the property identified herein in Room 101 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:
Case Number: 88-301-A
SE/S Community Road, 143' SW of S. River Road (129th Community Road)
14th Election District - 8th Councilmanic District
Petitioner: Charles Vedral, et ux
DATE/TIME: TUESDAY, FEBRUARY 9, 1988 AT 11:00 A.M.
Variance to permit a side yard setback of 10 feet in lieu of the required 10 feet and a rear yard setback of 10 feet in lieu of the required 20 feet.
In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing, set above or presented at the hearing.
J. Robert Haines
Zoning Commissioner of Baltimore County

The Times

Middle River, Md., Jan 21, 1988

This is to Certify, That the annexed

Charles Vedral
Reg. M. 0700

was inserted in The Times, a newspaper printed and published in Baltimore County, once in each of _____ successive weeks before the _____ day of _____, 1988.
James E. Dyer Publisher.

88-301-A

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this _____ day of November, 1987.

J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER

Petitioner: Charles V. Vedral, et ux
Petitioner's Attorney
Received by: James E. Dyer
Chairman, Zoning Plans Advisory Committee

CPS-00A